

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 1:05CR252  
 )  
 Plaintiff, ) JUDGE CHRISTOPHER A. BOYKO  
 )  
 v. )  
 )  
 AMIN MOHAMMAD, )  
 )  
 Defendant. ) FINAL ORDER OF FORFEITURE

It appears to the Court that proper proceedings for the issuance of a Final Order of Forfeiture have been had in this case as follows:

1. On May 25, 2005, a federal grand jury sitting in this district returned a one count indictment against Amin Mohammad and three (3) co-defendants. The indictment charged the defendants with conspiracy to distribute, and to possess with the intent to distribute, pseudoephedrine; in violation of 21 U.S.C. § 846, § 841(a)(1), and § 841(c)(2).

2. Pursuant to 21 U.S.C. § 853, the indictment further sought the forfeiture to the United States of any and all property constituting, or derived from, any proceeds the

defendants obtained, directly or indirectly, as the result of Count 1; and, any and all of their property used or intended to be used, in any manner or part, to commit or to facilitate the commission of Count 1.

3. On November 30, 2005, defendant Mohammad entered a plea of guilty to the charge set forth in Count 1 of the indictment and, pursuant to 21 U.S.C. § 853(a), agreed to the forfeiture of the following properties to the United States:

a.) the real estate property located at 1348 West 110 Street, Cleveland, Ohio.

b.) a service station located at 4126 Pearl Road, Cleveland, Ohio.

c.) \$50,000.00 in U.S. Currency.

4. Further, defendant Mohammad has agreed:

a.) The property identified in paragraph 3(c) is subject to forfeiture under 21 U.S.C. § 853(a)(1) as it constitutes proceeds he obtained as the result of the criminal activity charged in Count 1 of the indictment.

b.) The properties identified in paragraphs 3(a) and 3(b) are subject to forfeiture under 21 U.S.C. § 853(a)(2) as they were used to commit, and to facilitate the commission of, the criminal activity charged in Count 1 of the indictment.

c.) Defendant Mohammad has transferred the property identified in paragraph 3(c) [to wit: \$50,000.00 in U.S.

Currency] to third parties, and/or has commingled it with other property which cannot be divided without difficulty.

d.) Defendant Mohammad agreed to turn over a check in the amount of \$50,000.00 to the United States.

e.) Pursuant to 21 U.S.C. § 853(p), defendant Mohammad further agreed to the forfeiture of the \$50,000.00 check as "substitute property" for the property identified in paragraph 3(c).

5. The United States has agreed:

a.) To accept a monetary settlement of \$100,000.00 in lieu of the forfeiture of the properties identified in paragraphs 3(a) and 3(b) [to wit: the real estate property located at 1348 West 110 Street, Cleveland, Ohio; and, the service station located at 4126 Pearl Road, Cleveland, Ohio].

b.) Upon the final forfeiture of the \$100,000.00, the United States agreed that it will not seek any further forfeiture with respect to the properties identified in paragraphs 3(a) and 3(b), based upon the criminal activity charged in the indictment.

6. A Preliminary Order of Forfeiture was filed on December 6, 2005. Therein, the \$50,000.00 check and the \$100,000.00 check to be turned over by defendant Mohammad were forfeited to the United States under 21 U.S.C. § 853, subject to the provisions of 21 U.S.C. § 853(n).

7. On or about April 12, 2007, defendant Mohammad turned

over three (3) \$50,000.00 official checks to the United States.

8. Pursuant to 21 U.S.C. § 853(n)(1), the United States published notification of the Court's Preliminary Order of Forfeiture in the Cleveland Daily Legal News. Attached hereto as Exhibit 1 is a copy of the notice.

9. No opposition to the forfeiture was filed as a result of the published notification.

Accordingly, it is ORDERED, ADJUDGED, and DECREED:

10. The following properties are hereby finally forfeited to the United States under 21 U.S.C. § 853(a) and § 853(p), and no right, title or interest shall exist in any other party:

a.) \$50,000.00, which defendant Mohammad turned over to the United States as "substitute property" pursuant to 21 U.S.C. § 853(p); and,

b.) \$100,000.00, which defendant Mohammad turned over to the United States in lieu of the forfeiture of the properties identified in paragraphs 3(a) and 3(b) [to wit: the real estate property located at 1348 West 110 Street, Cleveland, Ohio; and, the service station located at 4126 Pearl Road, Cleveland, Ohio].

11. The United States shall seize and take control of the properties, and shall dispose of them in accordance with law. Particularly, the \$100,000.00 shall be treated in the same manner as the proceeds of sale of a forfeited item and disposed of according to law. 19 U.S.C. § 1613(c).

12. The United States shall not seek any further forfeiture with respect to the properties identified in paragraphs 3(a) and 3(b), based upon the criminal activity charged in the indictment.

SO ORDERED this 24<sup>th</sup> day of May, 2007.

Christopher A. Boyko  
Christopher A. Boyko  
United States District Judge

FILED

MAY 24 2007

CLERK OF COURTS  
U.S. DISTRICT COURT, N.D.O.  
CLERK'S OFFICE

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**U.S. Department of Justice**  
**United States Marshals Service**  
*See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form*

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER 1:05CR252	
DEFENDANT Amin Mohammed and Ibrahim Oudeh	TYPE OF PROCESS Notice of Publication	
SERVE BY AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Daily Legal News	
	ADDRESS 2935 Prospect Avenue, Cleveland, Ohio 44115	
SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW		
James L. Mortland Assistant United States Attorney Office of the United States Attorney United States Court House, 200 W. Superior Street Suite 2200, Cleveland, Ohio 44113 (216) 622-1743		<input type="checkbox"/> Number of process to be served with this Form: 258  <input type="checkbox"/> Number of parties to be served in this case: 2  <input type="checkbox"/> Check to serve by email: N/A

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, Telephone Numbers, and Estimated Times Available For Service)

Publish the attached Notice in accordance in with the Preliminary Order of Forfeiture, also attached

CAT#  
CATS ID: 07-DEA-479262

Signature of Attorney or other Originator requesting service on behalf of:	PLAINTIFF OR DEFENDANT	TELEPHONE NUMBER (216) 622-3743	DATE 02/15/2007
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Signed: <i>James L. Mortland</i> if more than one USM 258 is indicated)	Total Process No. 1	Date of Origin for 60	Date of Service for 60	Signature of Authorized USMS Deputy or Clerk <i>James L. Mortland</i>	Date 2-22-07
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I hereby certify and return that  I have personally served,  I have legal evidence of service,  I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am able to locate the individual, company, corporation, etc. named above (See Remarks below)

Name and address of individual served (See Remarks below)					<input type="checkbox"/> A person of suitable age and discretion to whom the process was served	
Signature of U.S. Marshal or Deputy					Signature of U.S. Marshal or Deputy <i>James L. Mortland</i>	Signature of U.S. Marshal or Deputy <i>James L. Mortland</i>
Service Fee	Total Mileage Charges (See Remarks below)	Forwarding Fee	Total Charges	Advance Deposit	Amount Owed to U.S. Marshal or Deputy	Amount of Refund

REMARKS  
PUBLISHED ONCE A WEEK FOR THREE WEEKS, POP ATTACHED.

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STATE OF OHIO,  
COUNTY OF CUYAHOGA } SS.

I, Carol Hackney, being duly sworn upon my oath, depose and say that I am the agent of the DAILY LEGAL NEWS, and that the annexed advertisement attached hereto was published in the DAILY LEGAL NEWS, a daily newspaper of general circulation, printed in the City of Cleveland, County of Cuyahoga, Ohio for a period of 3 consecutive weeks, and on the same day of each week, on and after the 3rd day of March A.D. 2007.

Case No. 1:05CR252

Caption: United States v. Amin Mohammad, Ibrahim Oudeh

Publication Fee \$344.50

NOTICE OF PUBLICATION  
Notice is hereby given that on December 6, 2006, in the case of United States v. Amin Mohammad, Ibrahim Oudeh, Criminal Case No. 1:05CR252, the United States District Court for the Northern District of Ohio entered an Order forfeiting the following properties to the United States of America:

1.) \$59,000.00 certified check, which defendant AMIN MOHAMMAD has agreed to turn over to the United States as "substitute property" pursuant to 21 U.S.C. § 858(p).

2.) \$100,000.00 in lieu of the forfeiture of the real estate property located at 1348 West 110 Street, Cleveland, Ohio; and, a service station located at 4126 Pearl Road, Cleveland, Ohio, [AMIN MOHAMMAD]

3.) \$60,000.00 certified check, which defendant IBRAHIM OUDEH turned over to the United States on January 16, 2007, as "substitute property" pursuant to 21 U.S.C. § 858(p).

The United States hereby gives notice of its intent to dispose of the subject properties in such manner as the United States Attorney General may direct. Any person (other than defendants Amin Mohammad and Ibrahim Oudeh) having or claiming a legal right, title or interest in the subject properties must file a petition with the Court in the above-captioned case within thirty (30) days of the final publication of this notice. The petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest, and shall be filed with the Court at the following address: Clerk's Office; Carl B. Stokes U.S. Court House, 801 West Superior Avenue; Cleveland, Ohio 44113. A copy of the petition also shall be provided to the Office of the United States Attorney, Attention: Asset Forfeiture Section; Carl B. Stokes U.S. Court House; 801 West Superior Avenue, Suite 400; Cleveland, Ohio 44113. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the subject properties, the time and circumstances of the petitioner's acquisition of the right, title or interest, and any additional facts supporting the petitioner's claim and the relief sought.

United States Marshals Service  
Northern District of Ohio  
Mar 10-17, 2007

Carol Hackney

Sworn to and subscribed in my presence this 17th day of March A.D. 2007.

Rae Szabo

Notary Public

Rae Szabo

STATE OF OHIO (Cuyahoga County)

My Commission Expires March 19, 2010.

Daily Legal News  
2935 Prospect Avenue  
Cleveland, OH 44115  
(216) 696-3322

PROOF OF PUBLICATION